

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

FRIDAY, THE 23RD FEBRUARY 2007 / 4TH PHALGUNA 1928

CMA.No. 158 of 2001()

AS.432/1994 of SUB COURT, NEYYATTINKARA
OS.250/1986 of PRL.M.C., NEYYATTINKARA
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APPELLANTS:RESPONDENTS/DEFENDANTS

1. AMMU SOBHANA CALLED AS AMMU SANTHA
RESIDING AT CHARIVUVILA PUTHEN VEEDU
VADAKKODU DESOM, NEYYATTINKARA VILLAGE.
2. SEKHARAN GOPINATHAN
RESIDING AT CHARIVUVILA PUTHEN VEEDU
VADAKODU DESOM, NEYYATTINKARA VILLAGE.

BY ADV. SRI.S.RAJASEKHARAN NAIR

RESPONDENTS: APPELLANTS/PLAINTIFF/DEFENDANT

1. C.S.ESWARI AMMA,
AISWARYA, ELAMKULAM LINE
SREEKARIYAM, TRIVANDRUM TALUK.
2. PADMANABHAN NAIR MURALEEKRISHNAN,
RESIDING AT AISWARYA, ELAMKULAM LINE
SREEKARIYAM,. TRIVANDRUM TALUK.
3. SUMA BALA,D/O.PADMANABHAN NAIR
RESIDING AT AISWARYA, ELAMKULAM LINE
SREEKARIYAM, TRIVANDRUM TALUK.
4. KRISHNA PILLAI THANKAPPAN PILLAI
PARAPPUMTHALA VEEDU, VADAKODU DESOM,
NEYYATTINKARA VILLAGE.
5. KALLIYANI AMMU (DIED IN THE YEAR 1996)
CHARIVUVILA PUTHEN VEEDU,
VADACODE DESOM, NEYYATTINKARA VILLAGE.

BY ADV. SRI.D.KISHORE

THIS CIVIL MISC. APPEAL HAVING COME UP FOR ADMISSION
ON 23/02/2007, THE COURT ON THE SAME DAY DELIVERED THE

FOLLOWING:

ORDER ON C.M.P.NO.2079/01 IN C.M.A.NO.158/01

23.2.07

DISMISSED

SD/- M.SASIDHARAN NAMBIAR
JUDGE

/true copy/

P.S. To Judge

M.SASIDHARAN NAMBIAR, J.

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C.M.A. NO.158 OF 2001

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Dated this the 23rd day of February 2007

JUDGMENT

This appeal is filed challenging the order of remand passed by Sub Judge, Neyyattinkara in A.S.432/94 as per judgment dated 29.9.00. The learned Sub Judge remanded the suit directing the parties to appear before the trial court on 11.12.00 for fresh disposal after appointing a new Commission to identify the property. The CMA was filed on 20.3.01, with filing defect and application to condone the delay. No interim order was passed. It is reported that the suit itself was dismissed for default on 6.10.01. In such circumstances, the appeal is dismissed.

M.SASIDHARAN NAMBIAR
JUDGE

tpl/-

M.SASIDHARAN NAMBIAR, J.

W.P.(C).NO. /06

JUDGMENT

SEPTEMBER,2006